

REMARKS/ARGUMENTS

This Amendment is in response to the Final Office Action of April 19, 2005 in which the Examiner (1) rejected claims 2, 4, 6, 8-12, 22, 24 and 25 under 35 U.S.C. 102(e) as being anticipated over U.S. Patent Application No. 2003/0154135 ("**Covington**"), (2) rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over **Covington** in view of Communications Today ("**CT**"), and (3) rejected claim 23 under 35 U.S.C. 103(a) as being unpatentable over **Covington** in view of U.S. Patent No. 5,862,325 ("**Reed**").

By the present Amendment, Applicant proposes to cancel independent claim 22 (so that all claims would now depend from claim 23), and cancel dependent claims 8, 24 and 25. The slight revisions to independent claim 23 merely clarify the claimed subject matter, and Applicant respectfully requests that this Amendment be entered since its primary purpose is to cancel claims and to clarify the subject matter for purposes of appeal. Applicant also believes the pending claims after this Amendment would now be clearly be allowable over the cited references.

The Examiner rejected claim 23 on the basis of **Covington** in view of **Reed**. Applicant points out that even if these references were combined, they fail to disclose or suggest Applicant's invention. For example, neither references teaches a user operated computer and a user operated portable device for downloading yellow pages information to the portable device "when the portable device is in a first location connected at the computer" and where the portable device can be used at "second, remote locations away from and not connected to the computer", and where the method includes "using the portable device to access the selected information items at the portable device when the portable device is at one of the second, remote locations away from the computer," as recited in claim 23. As Applicant pointed out in his earlier response, **Covington** does not show using a PDA at two locations (at one location when connected to a user's computer and at second, remote locations away from the user's computer). Rather, the PDAs in **Covington** are used only at in-store or in-mall locations, away from the user's computer (see, e.g., Fig. 1). **Covington** also does not show or suggest a yellow pages

Appl. No. 09/991,158
Amdt. dated June 8, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 3625

PATENT

directory website nor accessing information items from such a website at a PDA. While the system in **Reed** discloses a conventional yellow pages directory website, this reference teaches away from Applicant's invention since discloses the very system and problem that Applicant's invention overcomes, namely, the problem of not being able to access yellow pages information at a PDA at a remote location where it is often most likely needed. Rather than Applicant's invention, **Reed** discloses using a personal computer having a robust searching a browsing capabilities to access yellow pages information.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



Stephen F. Jewett
Reg. No. 27,565

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
Attachments
SFJ:bhr
60507478 v1